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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/088,575 | 05/10/2002 | Michel Bremont | RAG-14302/08 | 4825 |
| 25006 | 7590 | 08/22/2005 | EXAMINER | |
| GIFFORD, KRASS, GROH, SPRINKLE & CITKOWSKI, P.C | | | MAKI, STEVEN D | |
| PO BOX 7021 | | | ART UNIT | |
| TROY, MI 48007-7021 | | | PAPER NUMBER | |

1733

DATE MAILED: 08/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/088,575

Applicant(s)

BREMONT ET AL.

Examiner

Steven D. Maki

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12-21 is/are allowed.
- 6) ☒ Claim(s) 7 and 9-11 is/are rejected.
- 7) ☒ Claim(s) 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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1) A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6-7-05 has been entered.

2) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3) **Claims 7 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stephenson (US 1921642) in view of Fruck (US 4400019) and at least one of German 583 (DE 19521583) and Suendermann (WO 99/29491).**

Stephenson shows an annular collar 20 (tubular coupling element) comprising an "outer tube" and an "inner tube" wherein (a) the front end of the inner tube is longer than the front end of the outer tube and (b) the rear end of the outer tube and the rear end of the inner tube are connected by a "linear connecting wall" to define one groove 22 ("one cylindrically shaped annular gap") on each side thereof. See figures 1 and 2.

Stephenson teaches that the grooves 22 may be filled with a plastic cement ("adhesive") before the parts are assembled if desired. Stephenson does not specifically recite disposing the adhesive against the connecting wall.

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As to claim 7, it would have been obvious to one of ordinary skill in the art to dispose a ring of adhesive in the one cylindrically shaped annular gap 22 of Stephenson's tubular coupling element 22 such that it is positioned against the linear connecting wall since (1) Stephenson suggests disposing adhesive in the annular gap of the tubular coupling element (annular collar) and (2) Fruck suggests positioning a ring of adhesive against a linear connecting wall when disposing adhesive in one cylindrically shaped annular gap of a tubular connecting element (figure 2).

As to the type of adhesive, it would have been obvious to one of ordinary skill in the art to use a solid ring of hot melt adhesive as the ring of adhesive for Stephenson's annular collar for joining tubes (pipes) in view of the suggestion from at least one of German 583 and Sundermann that hot melt adhesive may be used to join tubes.

As to claim 11, the claimed lengths would have been obvious since Fruck suggests using relatively deep cylindrically shaped annular gaps for a tubular coupling element and Stephenson suggests using a "inner tube" longer than "outer tube" by "about one-half" for a tubular coupling element.

4) Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stephenson in view of Fruck and at least one of German 583 and Suendermann as applied above and further in view of Europe '831 (EP 289831) and optionally Great Britain '496 (GB 2133496).

As to claims 9 and 10, it would have been obvious to one of ordinary skill in the art to provide the tubular surface of the inner and / or outer tube of Stephenson's tubular coupling element with longitudinal ribs separated by longitudinal grooves in view of

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(1) Europe '831's suggestion to provide a tubular surface of a tube of tubular coupling element with longitudinal ribs (separated by longitudinal grooves) to ensure centering of a pipe end in the coupling element and to ensure a constant adhesive thickness and optionally (2) Great Britain '496's teaching to provide the tubular surface of an inner tube and / or outer tube of a coupling element with grooves to control glue line thickness (page 2 lines 7-9, 25-26).

Allowable Subject Matter

5) **Claim 8 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.**

Claims 12-21 are allowed.

As to claim 8, the prior art of record fails to suggest the combination of (1) the inner tube having a longer front end and (2) the linear connecting wall and the one cylindrically shaped annular gap and (3) a solid ring of hot melt adhesive positioned against the connecting wall and (4) the adhesive filling approximately one-half a depth of the annular gap along with the remaining limitations of claim 8.

As to claims 12 and 13, the prior art of record fails to suggest the combination of (1) the axially parallel grooves and (2) the linear connecting wall and the one cylindrically shaped annular gap and (3) a solid ring of hot melt adhesive positioned against the connecting wall and (4) the adhesive filling approximately one-half a depth of the annular gap along with the remaining limitations of either claim 12 or claim 13.

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As to claims 14 and 18, the prior art of record fail to suggest the combination of (1) pressing the solid ring of hot melt adhesive in the annular gap against the connecting wall and (2) the solid ring of adhesive filling about one-half the annular gap along with the remaining limitations of either claim 14 or claim 18.

Remarks

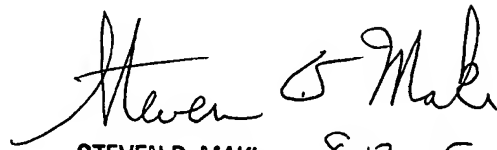
6) Applicant's arguments with respect to claims 7 and 9-11 have been considered but are moot in view of the new ground(s) of rejection.

7) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven D. Maki whose telephone number is (571) 272-1221. The examiner can normally be reached on Mon. - Fri. 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine Copenheaver can be reached on (571) 272-1156. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Steven D. Maki
August 17, 2005


STEVEN D. MAKI
PRIMARY EXAMINER
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8-17-05